

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Statesville Division**

**Honorable Laura T. Beyer Presiding**

**FRIDAY, JANUARY 8, 2016**

**Steven G. Tate, Trustee**

**9:30 a.m.**

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|----|---|----------------------------|---|
| 1) | Adv. Bowman<br>v.<br>Great Lakes Service Center, et al. | 15-05030<br>13<br>14-50745 | Hearing on motion to substitute<br>party [Educational Credit<br>Management Corporation] (11, 4) |
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PRO SE  
BECK  
TAYLOR  
SUMNER

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| 2) | 13 Anthony P. Campagna | 12-51193 | Continued hearing on Trustee's<br>motion to modify plan (48) |
|----|------------------------|----------|--|

DUNCAN

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|----|--|----------|--|
| 3) | 13 Thomas B. Gragg<br>Barbara A. Gragg | 14-50672 | Continued hearing on Trustee's<br>motion to dismiss or modify plan<br>for payment default (32) |
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ELLIOTT

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|----|--------------------|----------|--|
| 4) | 13 April A. Gardin | 14-50911 | Hearing on debtor's motion to<br>allow sale of real estate and<br>application for additional<br>attorney's fees (35); Trustee's<br>response (36) |
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HORD

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- 5) 13 Mary D. Jones 11-50239 Hearing on debtor's motion for hardship discharge (59)
- Hearing on Trustee's motion to dismiss or modify plan for payment default (56)

MOSKOWITZ

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- 6) 13 Kevin R. Reece 14-50488 Continued hearing on Trustee's motion to modify plan (49); debtor's response (50)

PENNEBAKER

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- 7) 13 Jan Ruth Wellborn 14-50580 Continued hearing on debtor's motion to substitute counsel (87); Trustee's response (89)
- Continued status hearing on order confirming Chapter 13 plan (73)

SPERBER

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- 8) 13 Tateka T. Severs 15-50026 Continued hearing on Trustee's motion to dismiss or modify plan for payment default (24)

VUJOVIC

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- 9) 13 Madeline F. Cook 14-50703 Hearing on Trustee's motion to dismiss for failure of debtor to liquidate property (24)

WILLCOX

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- 10) 13 Shannon D. Winkler 13-50976 Continued hearing on motion for

relief from stay [21<sup>st</sup> Mortgage Corporation] (26); debtor's response (27)

BOLGER  
BARRETT

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11) 13 David A. Bryan  
Pamela S. Bryan

15-50396

2<sup>nd</sup> continued hearing on debtors' first objection to claim (20); response [USA/IRS] (21)

Continued hearing on objection to confirmation of plan [USA/IRS] (24, 17, 15, 11, 7)

BOLGER  
BECK

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12) 13 Thomas D. Gilchrist

15-50429

Continued hearing on Trustee's motion to dismiss (22)

Hearing on debtor's motion to convert case from Chapter 13 to Chapter 11 (23)

COURT

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13) 13 Glenn D. Snow, Jr.

15-50571

Hearing on Trustee's motion to dismiss or modify plan for payment default (17)

COURT

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- 14) 13 John L. Fraley, Jr. 15-50574 Continued hearing on motion to dismiss bankruptcy case for failure to file tax returns and provide for payment of priority tax claims [USA/IRS] (29)
- Continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (27, 22, 21, 14)
- Continued hearing on objection to confirmation of plan [USA/IRS] (26, 23, 21, 14)
- GARDNER  
BECK  
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- 15) 13 Anthony G. Chapman 15-50577 2<sup>nd</sup> continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (9, 4)
- LaDonna D. Chapman
- Hearing on debtor's objection to claim (11); response [USA/IRS] (13)
- GARDNER  
BECK  
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- 16) 13 Gilbert M. Adams 15-50599 Continued hearing on debtor's motion to extend time to make second plan payment (13); Trustee's response (14)
- Hearing on Trustee's motion to dismiss for failure to file documents (17)
- LANEY  
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|-----|----|--------------------------------------|----------|--|
| 17) | 13 | Lonnie E. Miller<br>Gladys E. Miller | 15-50677 | Hearing on debtors' motion to<br>extend time to make plan payments<br>(11)   |
|     |    | LANEY<br>-----                       |          |  |
| 18) | 13 | Mary E. Mayfield                     | 11-51187 | Hearing on Trustee's motion to<br>dismiss or modify plan for<br>payment default (31)                                 |
|     |    | MALLORY<br>-----                     |          |  |
| 19) | 13 | Allen C. Rhyne<br>Stacey L. Rhyne    | 13-50792 | Continued hearing on Trustee's<br>motion to dismiss or modify plan<br>for payment default (35)                       |
|     |    | MALLORY<br>-----                     |          |  |
| 20) | 13 | James W. Mastin, Jr.                 | 15-50655 | Hearing on debtor's motion to<br>extend time to pay second payment<br>(20)   |
|     |    | MALLORY<br>-----                     |          |  |
| 21) | 13 | Terry W. Stamper                     | 10-51114 | Continued hearing on Trustee's<br>motion to dismiss or modify plan<br>for payment default (65)                       |
|     |    | LUCK<br>-----                        |          |  |
| 22) | 13 | Dean J. Walsh<br>Betty C. Walsh      | 13-50986 | 2 <sup>nd</sup> continued hearing on Trustee's<br>objection to claim (24); response<br>[Wells Fargo Bank, N.A.] (25) |
|     |    | LUCK<br>BARRETT<br>-----             |          | Continued hearing on debtors'<br>motion to modify plan (26);<br>Trustee's response (27)                              |
| 23) | 13 | Samuel L. Wier                       | 14-50844 | Hearing on Trustee's motion to   |

Melissa C. Wier

dismiss or modify plan for  
payment default (28)

LUCK

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24) 13 Sheila S. Broyhill

14-50900

3rd continued hearing on Trustee's  
motion to dismiss or modify plan  
for payment default (19)

LUCK

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25) 13 Ray M. Blevins  
Alda B. Blevins

15-50230

2<sup>nd</sup> continued hearing on motion for  
relief from stay [BB&T] (28);  
debtors' response (31)

Continued hearing on motion for  
relief from stay and co-debtor stay  
[Allegacy Federal Credit Union]  
(33); debtors' response (34)

LUCK  
MILLER  
DIMONT

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26) 13 Lisa L. Jackson

13-50555

5<sup>th</sup> continued hearing on Trustee's  
motion to dismiss (18)

WOOD

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27) 13 Ricky L. Frye  
Lisa H. Frye

14-50737

Continued hearing on Trustee's  
motion to modify plan and set  
liability of debtors as to claims (15);  
debtors' response (16)

Continued hearing on Trustee's  
motion for determination of status  
of claims in confirmed plan (14)

WOOD

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28) 13 Phuong Kim Le

14-50793

Status hearing on order confirming

debtor's Chapter 13 plan (20)

WOOD

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29) 13 Eva L. Wilson

15-50442

4th continued hearing on objection to confirmation of plan [JPMorgan Chase Bank, N.A.] (10, 9)

WOOD

WADSWORTH

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30) 13 Billy S. Schronce, Jr.

15-50464

3rd continued hearing on motion for relief from stay and co-debtor stay [Carolina Trust Bank] (13); Trustee's response (15); debtor's response (16)

2<sup>nd</sup> continued hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (28, 26, 22, 11)

Continued hearing on objection to confirmation of amended plan [Carolina Trust Bank] (30, 26, 11)

WOOD

SUMMERLIN

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31) 13 Robin T. Shipp

10-51739

2<sup>nd</sup> continued hearing on debtor's objection to claim (103); response [Nationstar Mortgage, LLC] (107)

BRUDI/PERRY

GRANTMYRE

CUMMINGS

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|---|----|---|----------|---|
| 32)   | 13 | Steven J. Mull<br>Jill E. Mull            | 13-50399 | Hearing on Trustee's motion to<br>modify plan (52)  |
| BRUDI/PERRY   |    |   |          |   |
| -----   |    |   |          |   |
| 33)   | 13 | David R. Studer<br>Heather M. Studer      | 13-50941 | Hearing on debtors' motion to<br>approve settlement (49); Trustee's<br>response (52)                      |
| BRUDI   |    |   |          |   |
| -----   |    |   |          |   |
| 34)   | 13 | Lynne J. Livingston                       | 15-50560 | Hearing on debtor's motion to<br>withdraw as attorney (18)  |
| Hearing on Trustee's motion to<br>dismiss for failure to file<br>documents (19) |    |   |          |   |
| BRUDI   |    |   |          |   |
| -----   |    |   |          |   |
| 35)   | 13 | LaTrina M. Cowan                          | 15-50638 | Hearing on Trustee's objection to<br>confirmation of Chapter 13 plan<br>and motion to dismiss (13, 10, 2) |
| BRUDI   |    |   |          |   |
| -----   |    |   |          |   |
| 36)   | 13 | Nickie R. Osborne<br>Elizabeth D. Osborne | 15-50808 | Hearing on objection to<br>confirmation of plan [Coastal<br>Federal Credit Union] (9, 2)                  |
| BRUDI<br>KEENAN   |    |   |          |   |
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37)	12	Jeffrey C. Foster	09-51433	7th continued hearing on debtor's motion for contempt of order of the court (61)
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FLIPPIN

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38)	12	Carl D. Boger	10-51429	3 <sup>rd</sup> continued hearing on Trustee's motion for review (70)
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FLIPPIN

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39)	13	Harold L. Myers Suzan M. Myers	12-50685	Hearing on Trustee's motion to dismiss or modify plan for payment default (52, 51)
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FLIPPIN

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40)	13	John J. Petree Khriste A. Petree	13-50062	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (33)
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FLIPPIN

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41)	13	Charles W. Hall Rebecca J. Hall	13-50064	2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (22)
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FLIPPIN

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42)	13	Ronnie L. Bates Sherrie L. Bates	14-50241	Continued hearing on Trustee's motion to dismiss or modify plan for payment default (31)
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43)	13	Russell A. Warren Sylvia A. Warren	14-50468	Hearing on Trustee's objection to claim (25); response [Ocwen Loan Servicing, LLC] (27)
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FLIPPIN  
HUNOVAL

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44)	13	Ernest H. Barnette Betty H. Barnette	15-50110	Hearing on debtors' motion for sanctions against United States Department of Treasury Internal Revenue Service for violation of automatic stay (20)
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FLIPPIN

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45)	13	Kenneth C. Royal Janet C. Royal	15-50337	5th continued hearing on objection to confirmation of plan [First Bank & Trust Company] (11, 3)
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FLIPPIN  
DUKE

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46)	13	Stanrick B. Darnell Sherry L. Darnell	15-50637	Hearing on debtors' objection to claim (13); Trustee's response (18); response [USA/IRS] (20)
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Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (19, 14, 3)

FLIPPIN  
BECK

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47)	13	Roy G. Johnson Linda P. Johnson	15-50053	2 <sup>nd</sup> continued hearing on debtors' motion for sanctions against Nationstar Mortgage LLC for violation of automatic stay (24)
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FLIPPIN

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48)	13	Linda R. Pope Michael L. Pope	10-51406	Continued hearing on Trustee's motion to deem mortgage current or paid in full (58); response [Federal National Mortgage Association] (11/9/15 doc); debtors' response (64)
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GOURLEY  
PETTIT  
BARRETT  
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49)	13	Beth G. Elledge Laurence G. Elledge	11-50668	Hearing on debtors' objection to claim (66)  Hearing on debtors' motion to modify plan (67); Trustee's response (69)
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GOURLEY  
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50)	13	Michelle B. Rogers	13-50636	Hearing on Trustee's motion to dismiss or modify plan for payment default (35)
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GOURLEY  
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51)	13	Alan Y. Ramsey Cynthia P. Ramsey	13-50768	Hearing on Trustee's motion to dismiss for failure to file documents (42)
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GOURLEY  
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52)	13	Kathy M. Stutts	13-50991	Hearing on Trustee's motion to dismiss or modify plan for payment default (24)
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GOURLEY  
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53)	13	Randy E. Moose	14-50741	3rd continued hearing on Trustee's motion to dismiss (18)
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GOURLEY

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54)	13	Michael C. Hyche Faith H. Hyche	14-50797	Hearing on Trustee's motion to dismiss or modify plan for payment default (30)
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GOURLEY

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55)	13	Christopher A. Nesbit Michelle D. Nesbit	14-50824	Hearing on Trustee's motion to dismiss or modify plan for payment default (23)
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GOURLEY

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56)	13	Greg M. McCourt	15-50510	2 <sup>nd</sup> continued hearing on objection to confirmation of plan [Lisa K. Deaton] (20, 11); debtor's response (27)
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2<sup>nd</sup> continued hearing on Trustee's  
objection to confirmation of  
Chapter 13 plan and motion to  
dismiss (23, 11)

Continued hearing on debtor's  
objection to claim (25); response  
[USA/IRS] (26)

Continued hearing on debtor's  
objection to claim (28)

GOURLEY  
ELLIOTT  
BECK

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- 57) 13 Teresa E. Meyers 15-50524 2<sup>nd</sup> continued hearing on objection to confirmation of plan [Wells Fargo Bank, N.A.] (27, 9)
- 2<sup>nd</sup> continued hearing on objection to confirmation of plan [Nationstar Mortgage LLC] (29, 15, 9)
- 2<sup>nd</sup> continued hearing on objection to confirmation of plan [Nationstar Mortgage LLC] (35, 15, 9)
- Continued hearing on debtor's objection to claim (23)
- GOURLEY  
WADSWORTH  
BARRETT  
BECK  
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- 58) 13 Douglas J. Rocque 15-50535 Hearing on debtor's motion for moratorium (25); Trustee's response (26)
- GOURLEY  
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- 59) 13 Jerry R. Watts 15-50634 Continued hearing on objection to confirmation of plan [USA/IRS] (14, 4)  
Pamela S. Watts
- GOURLEY  
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- 60) 13 Jamie D. Turner 15-50697 Hearing on debtors' objection to claim (11)  
Ellen S. Turner
- GOURLEY  
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61) 13 Cynthia A. Smith

15-50815

Continued hearing on court order  
to appear and show cause for  
dismissal of case (5, 1)

GOURLEY

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**10:30 a.m.**

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|-----|------------------------------------|----------|---------------------------------|
| 62) | Adv. Bowman                        | 15-05030 | Hearing on motion to substitute |
|     | v.                                 | 7        | party [Educational Credit       |
|     | Great Lakes Service Center, et al. | 14-50745 | Management Corporation] (4)     |

PRO SE  
BECK  
TAYLOR  
SUMNER

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|-----|---|------------------|----------|--|
| 63) | 7 | Robert L. Newman | 13-50207 | 2 <sup>nd</sup> continued hearing on Trustee's |
|     |   | Sharon E. Newman |          | objection to claim (27); response              |
|     |   |                  |          | [Dan Cedrone] (29)                             |

Compliance hearing on order  
granting motion to turnover (31, 25)

GRIFFIN  
TAYLOR/CRAWFORD, TR.

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|-----|---|-------------------|----------|-----------------------------------|
| 64) | 7 | Manfred N. Spaeth | 15-50061 | Continued hearing on debtors'     |
|     |   | Joy A. Spaeth     |          | objection to claim (23); response |
|     |   |                   |          | [Back Bowl I, LLC, Series C] (24) |

Hearing on debtors' objection to  
claim (25); response [Back Bowl I  
LLC] (26)

LAMONTAGNE  
TAYLOR, TR.  
PARROTT

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65) 7 David L. O'Neal 15-50702 Hearing on motion for relief from stay [Clear View Vision Armor, LLC] (14)

MALLORY  
PHILLIPS

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66) Adv. Crawford 15-05020 Hearing on plaintiff's motion to  
v. 7 extend discovery period and time to  
Gremillion 13-50594 file dispositive motions (10)

TAYLOR/CRAWFORD  
ARROWOOD/FENNELL

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67) 11 Jan M. Berkowitz 15-50673 Hearing on ex parte motion for  
an order directing Rule 2004  
examination of Bruce E. Baldinger,  
Jan M. Berkowitz and the entities  
they control including (i) Newlead  
Jmeg, LLC, (ii) Jaea Holdings, Inc.,  
Bergam Holdings, Inc., (iii)  
Ariandne Holdings, LLC, (iv) J.  
Mining & Energy Group, Inc., and  
(v) Ket Holdings, LLC [Matteo  
Patisso] (27); debtor's response (30)

Hearing on debtor's objection to  
claim of TransAsia Commodities  
Investment Limited (31); response  
[TransAsia Commodities  
Investment Limited (44)

Hearing on motion to strike  
response to Rule 2004 motion  
[Matteo Patisso] (35); debtor's  
response (30)

Hearing on ex parte motion to seal  
[Transasia Commodities  
Investment Limited] (47)

WRIGHT

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68) 11 Apostolic Faith Churches of  
Deliverance

14-50902

2<sup>nd</sup> continued hearing on motion to  
withdraw [Jimmy R. Summerlin,  
Jr.] (56)

Continued hearing on application  
for payment of administrative  
expenses to Yadkin Bank, in  
addition to motion to convert case  
from Chapter 11 to Chapter 7, in  
addition motion for relief from stay  
[Yadkin Bank] (58); debtor's  
response (61)

SUMMERLIN  
BANKRUPTCY ADMINISTRATOR

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69) 11 MGM Group Holdings, LLC

15-50414

3<sup>rd</sup> continued hearing on motion for  
relief from stay [TLE at  
 Mooresville, LLC] (39); debtor's  
objection (46); response [Legacy  
Village, LLC] (51); response [TLE at  
 Mooresville, LLC, The Learning  
Experience Corp., The Learning  
Experience Systems LLC] (52)

3<sup>rd</sup> continued hearing on debtor's  
motion to assume unexpired real  
property lease and to reject  
franchise agreement and/or for  
related extension of time (44);  
response [Legacy Village, LLC] (50)

DIMATTEO/WRIGHT  
BANKRUPTCY ADMINISTRATOR

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**11:00 a.m.**

70) 13 Stephen S. Smith

13-50927

2<sup>nd</sup> continued hearing on motion for relief from stay [Marcia C. Smith] (48, 44); debtor's response (50, 49)

GOURLEY  
MALLORY

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71) Adv. Varela, et al.  
v.  
Reece

14-05038  
13  
14-50488

5<sup>th</sup> continued pre-trial conference (13)

Hearing on plaintiffs' motion for summary judgment (25); brief in support (26)

Hearing on motion to withdraw as attorney [Robert H. Gourley, Jr.] (27)

VERMITSKY/NARDONE  
SHUMANTE/GOURLEY

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